

# Can we destroy the paper after we scan it?

What you need to know to answer this question

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and Records Service

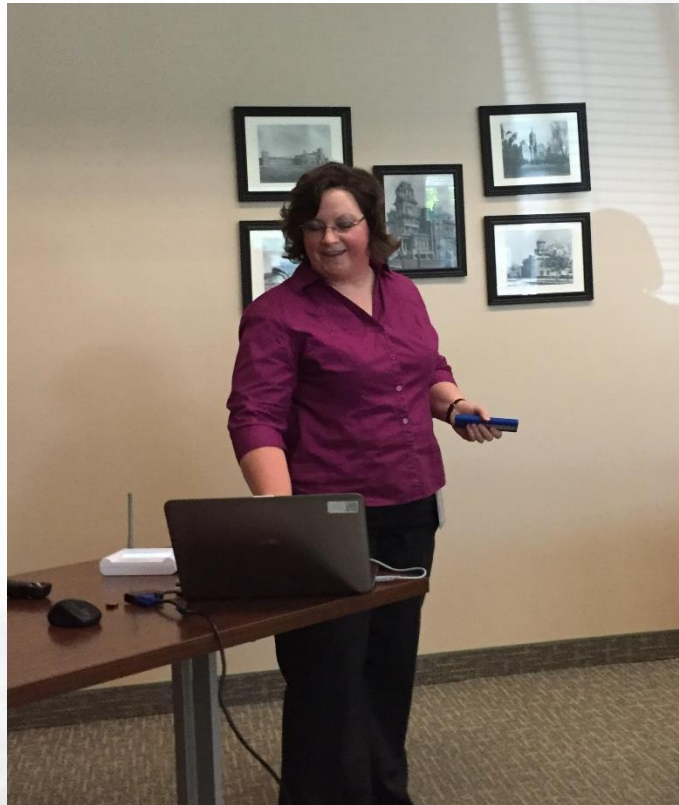
[Recordskeepers.blog](http://Recordskeepers.blog)

RIMM Webinar  
April 5, 2017

# Kendra Yates: Who I am and what I do



<http://wersm.com/twitter-powers-up-dms-for-customer-service/>



Kendra teaching.



Kendra as a baby in a garbage can.

True or False?

**We (at the Archives) don't care  
what you think**



True or False?

We (at the Archives) don't care  
what you think

**FALSE**

We want to help you

We treasure your feedback (beg for it, in fact)

Points of pain (try to answer what you ask)

**We (at the Archives) care what you think**

True or False?

**The question ‘Can we destroy the paper after we scan it?’ has a single yes or no answer.**

True or False?

The question 'Can we destroy the paper after we scan it?' has a single yes or no answer

**FALSE**

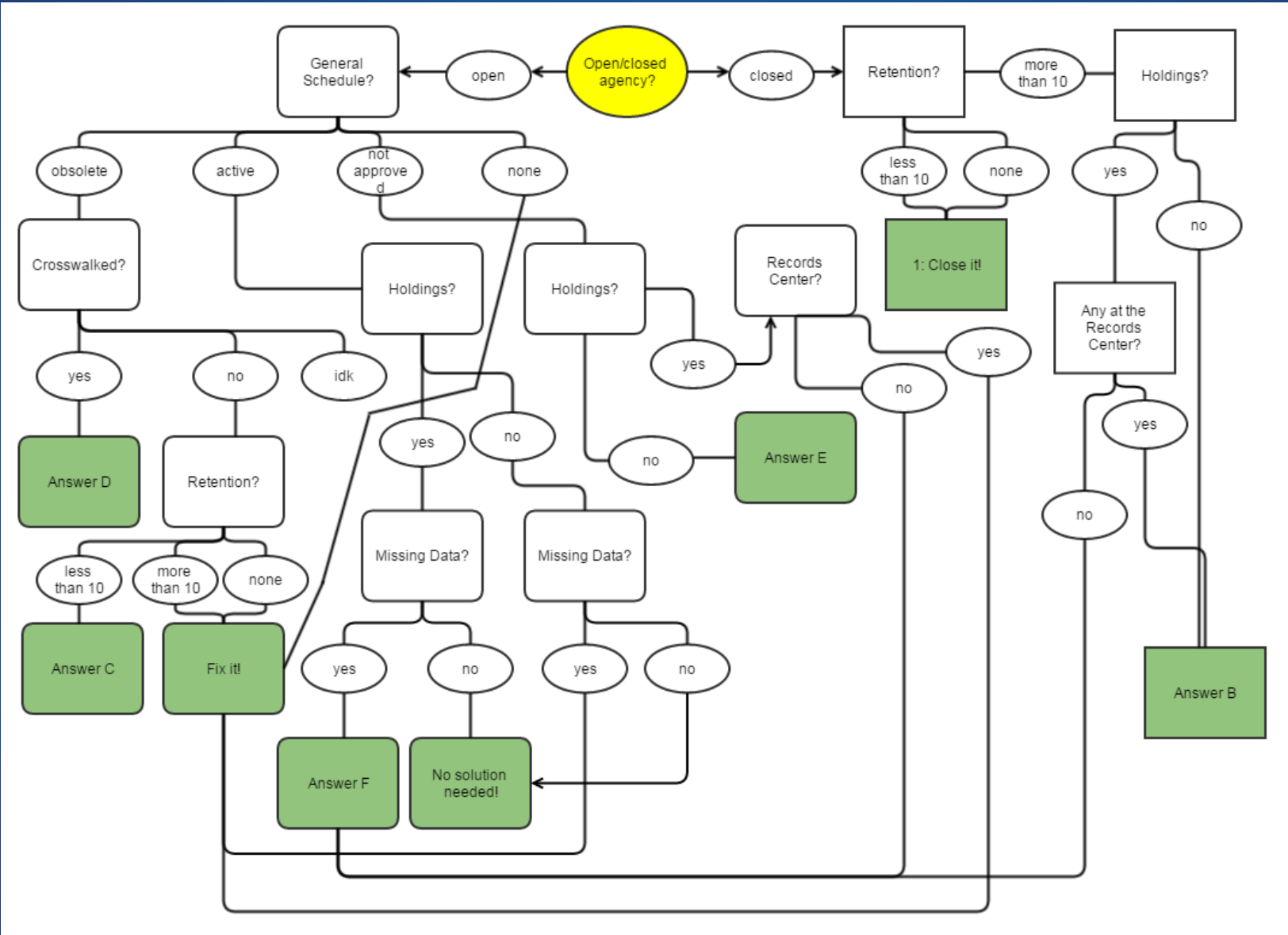
# There are many factors to consider

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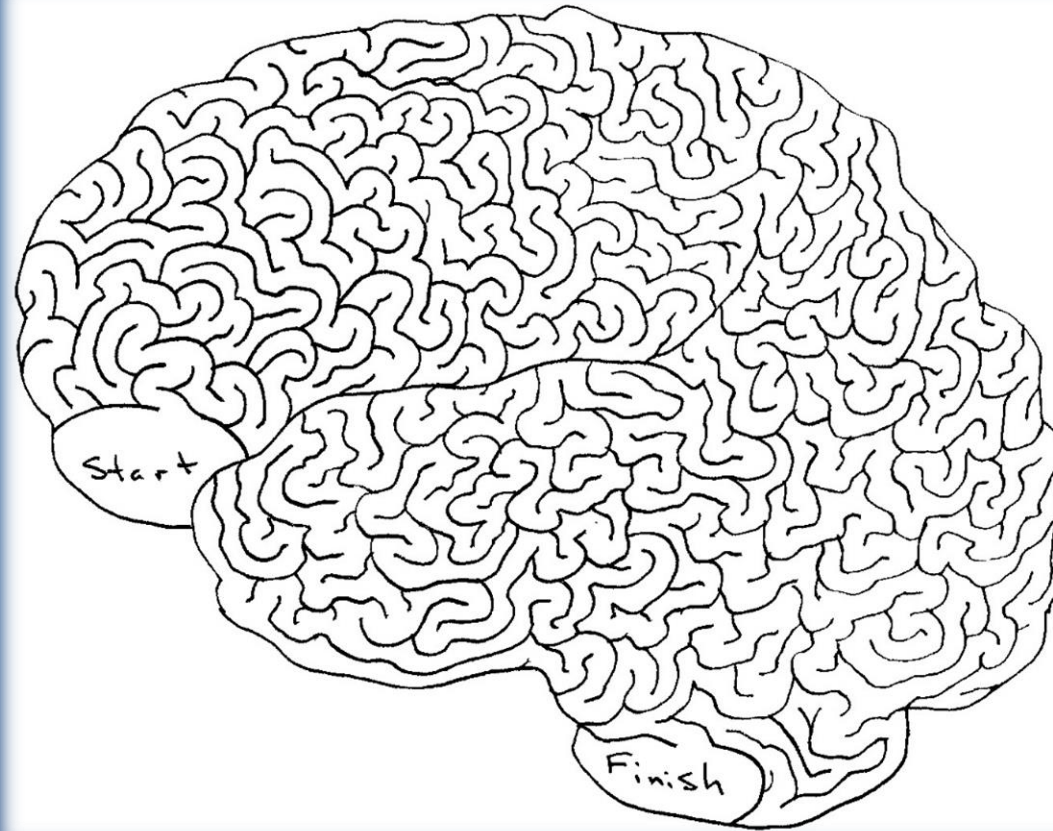
- Decision for each group of records (record series)
- Choose-your-adventure tool → definitive answer?
- Insane flow chart



# How-to-update-a-retention-schedule flowchart



# Instead I will try to be your tour guide through the issues



# Some factors to consider

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- Scheduled Retention of the record
- Importance of the records (risk assessment)
- Requirements for managing electronic records
- Liability
- Standards used for imaging the records
- Quality control process
- File format
- Media and storage
- Software characteristics and capabilities
- Ability to dispose of electronic records accurately
- Migration plan
- Cost of maintenance



<https://giphy.com/gifs/water-ocean-sea-ivcVZnZAEqhs4>





True or False?

**“We are not creating any records because they are all being done electronically”**

True or False?

“We are not creating any records because they are all being done electronically”

**FALSE**

# Electronic records are records too

## 63G-2-103 Definitions

....

(22) (a) "Record" means a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics:

- (i) that is prepared, owned, received, or retained by a governmental entity or political subdivision; and
- (ii) where all of the information in the original is reproducible by photocopy or other mechanical or electronic means

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True or False?

Retention schedules tell you how long records must be maintained, and when they should be destroyed or sent to the Archives.

True or False?

Retention schedules tell you how long records must be maintained and when they can be destroyed or sent to the Archives.

**TRUE**

# General Retention Schedule

## What it is and what it looks like

<b>OPEN MEETING MINUTES AND PUBLIC MATERIALS (ITEM 1-59)</b>
Approved minutes of an open meeting are the official record of the meeting of a public body. Contained in or with the minutes shall be the substance of all matters proposed, discussed or decided and votes taken (Utah Code 52-4-203(2014)). This includes the agenda, notices, and any public materials distributed at the meeting.
<b>RETENTION</b> Permanent. May be transferred to the State Archives.
<b>SUGGESTED PRIMARY DESIGNATION</b> Public. (Approved 07/14)
<b>OPEN MEETING RECORDINGS (ITEM 1-65)</b>
Audio or video recordings document what transpired in open meetings of public bodies and are the official record of the meeting until the meeting minutes are approved (Utah Code 52-4-203(2014)).
<b>RETENTION</b> Retain 3 years after official written minutes are approved and then destroy.
<b>SUGGESTED PRIMARY DESIGNATION</b> Public. (Approved 07/2014)

**Approved Retention  
period and Disposition**

True or False?

**Retention schedules only apply to paper records**



True or False?

Retention schedules only apply to paper records

**FALSE**

# Retention schedules apply to the record copy of all records:

- Uniform Electronic Transactions Act ([Utah Code 46-4-501](#))

## **46-4-501. Creation and retention of electronic records...**

(5) Each state governmental agency **shall**:

- (a) **Establish record retention schedules for any electronic records created or received** in an electronic transaction according to the standards developed by the Division of Archives...and
- (b) Obtain approval of those schedules from the State Records Committee as required by Subsection 63G-2-502(1)(b).

- Only record copy is subject to the retention schedule
- Access, reference, and backup copies can be destroyed sooner

True or False?

**Retention schedules are suggestions for how long you have to keep something, but are minimums only.**

True or False?

Retention schedules are suggestions for how long you have to keep something, but are minimums only.

**FALSE**



# Mandated to Maintain and to Destroy

## **Utah Code 63G- 2-604 – Retention and disposition of records.**

(1) (a) . . . each governmental entity shall file with the State Records Committee a proposed schedule for the retention and disposition of each type of material that is defined as a record under this chapter.

(b) After a retention schedule is reviewed and approved by the State Records Committee under 40 Subsection 63G-2-502(1)(b), **the governmental entity shall maintain and destroy** records in accordance with the retention schedule.

(c) If a governmental entity subject to the provisions of this section has not received an approved retention schedule for a specific type of material that is classified as a record under this chapter, the model retention schedule maintained by the state archivist shall govern the retention and destruction of that type of material.

Disposition options: Destroy or Permanent

- Destroy = all copies must be destroyed
- Permanent = transfer record copy to the State Archives (usually)

Disposition happens when the retention period has expired

Disposition is delayed if records are:

- Ongoing investigation
- Required for possible litigation
- Litigation hold
- Pending GRAMA request
- Being used in an audit



True or False?

**‘Indefinitely’ is an acceptable retention period**

True or False?

**FALSE**  
'Indefinitely' is an acceptable retention period



# “Indefinite” by definition is undefined

We go to a lot of trouble to DEFINE retention periods

- Appraise records
- Determine administrative, fiscal, legal, and historical value
- Get them approved by the State Records Committee

True or False?

**“Scan into the database” is not an appropriate disposition**

True or False?

“Scan into the database” is not an appropriate disposition

**TRUE**

- Destroy or Permanent (a.k.a. transfer to the State Archives)
- Records in a database must still be managed

# Core Requirements for Managing Electronic Records

The records must be:

1. **Accessible**—available for the duration of the retention
2. **Authentic**—be what they claim to be; nothing changed, deleted, or otherwise altered
3. **Reliable**—the data at all times retrievable and usable
4. **Secure**—all of the people allowed to view records according to the classification of the records, and only those people, should have access

# Core Requirements for Managing Electronic Records

Systems must be:

## **Trustworthy**

- Hardware and software and processes to manage the electronic records must be reasonably secure from misuse and intrusion.

These core requirements and other valuable guidance can be found in the State Archives' *Electronic Records Management Business Case*, accessible on our website at [archives@utah.gov](mailto:archives@utah.gov).



True or False?

**DTS / IT manages our electronic records**

True or False?

DTS / IT manages our electronic records

**FALSE**

DTS / IT does not manage records,  
they manage systems

# Know your system

Will records be maintained through the retention period?

How will records be deleted from the system?

- Must prevent deletion from impacting other records that should be retained.
- Are specific data fields utilized by more than one business process, with different retention requirements?

# Know your system

How will permanent records be transferred to the State Archives?

- Have we documented the data structure?

Have we documented these recordkeeping processes?

# Know your system

Protect from unauthorized access?

Provide authorized access?

Protect from unauthorized destruction or in cases of litigation hold?



True or False?

**All of the information in our database  
will be kept permanently, even when we  
migrate to a new system**

True or False?

All of the information in our database  
will be kept permanently, even when we  
migrate to a new system

**FALSE**

- IT will migrate only what they know you need
- Coordinate with IT
- Electronic Records Management and Migration guideline, found at [archives.utah.gov](https://archives.utah.gov), provides a starting point for the conversation

## System design considerations



Universal Automatic Computer 1, first delivered March 31, 1951 to the US Census Bureau

True or False?

# Permanent means 'as long as I am here'



**'We've got to get our clients to think of long term investments. By long term, I mean until we retire.'**



True or False?

Permanent means 'as long as I am here'



'We've got to get our clients to think of long term investments. By long term, I mean until we retire.'



# Permanent means forever

Permanent = forever. Never destroy, delete, lose.

Long-term retentions:

- 50 years after dissolution of the republic, then destroy
- 10,000 years, then destroy

True or False?

**Certain types of records need to be printed**

True or False?

Certain types of records need to be printed

**FALSE**

...Usually

# Electronic record satisfies the law

- Uniform Electronic Transactions Act

**46-4-301. Retention of electronic records -- Originals.**

(1) If a law requires that a record be retained, the requirement is satisfied by retaining an electronic record of the information in the record that:

- (a) **accurately reflects the information** set forth in the record after it was first generated in its final form as an electronic record or otherwise; and
- (b) **remains accessible** for later reference.

\* "...Unless a law enacted after May 1, 2000, specifically prohibits the use of an electronic record for the specified purpose."

True or False?

**Printing an email is the correct way to maintain the official copy of the record**



True or False?

Printing an email is the correct way to  
maintain the official copy of the record

**FALSE**

# A Printed email is missing essential metadata

- PDF of the email does not contain all of the associated metadata (i.e., IP addresses)
- Not considered a legitimate version of the record
  - This was established by case law in 1996 when the Supreme Court ruled on Armstrong vs. Executive Office of the President
- Export the emails into EML file format and retain them according to schedule

True or False?

**I only need to keep what I think is important  
and can discard the rest**

True or False?

I only need to keep what I think is important  
and can discard the rest

**FALSE**

# State Archivist and SRC appraise the value of records



HOWEVER...

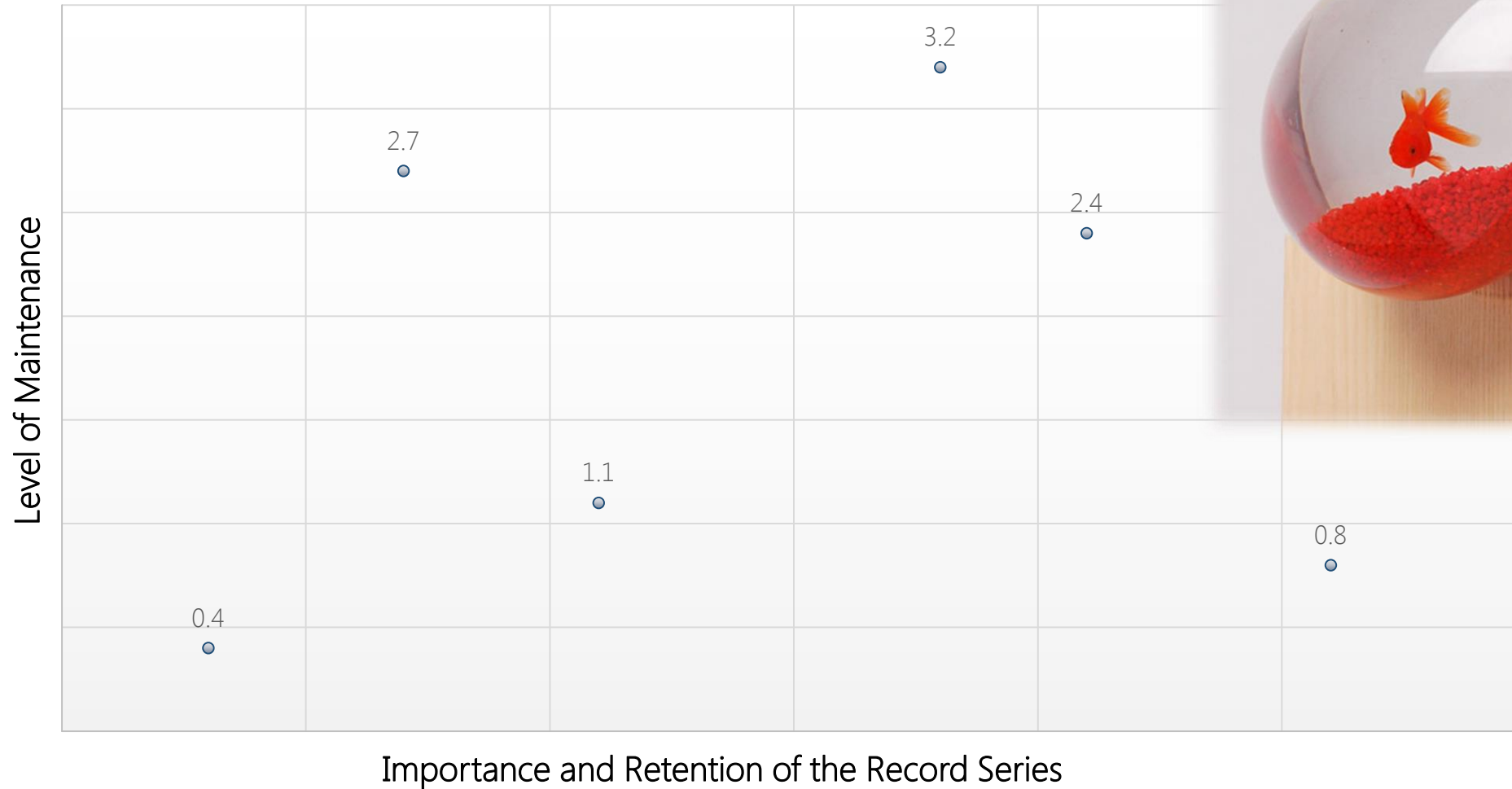
- Assessing the importance of the records in question is a critical part of determining in what format to create, preserve, and provide access to them.

Risk assessment needs to be done by your agency



# Finding a balance

Risk Assessment



True or False?

**Scanning is not the first step of digitizing**

True or False?

Scanning is not the first step of digitizing

**TRUE**

Planning, not scanning, is the first step of digitizing

# Planning is the first step

Determine:

- How long the images need to be kept (**more or less than 10 years?**) and how they will be used (record copy, access copy, backup copy, etc.)
- Resolution
  - 300-400 dpi, 8-bit grayscale or 24-bit color
- File format
  - Uncompressed master image file which can be used to produce access copies: TIFF (rather than JPEG), PDF/A, WAV (rather than mp3), CSV or XML, etc.
- Metadata: choose schema and set a standard

# Planning is the first step (cont.)

- Quality control procedures
  - Verify and validate
- Online presentation
  - Platform, software, etc. used to display the records
- Preserving the resulting files
  - Use a reliable storage medium
  - Migration Plan: To mitigate loss due to obsolescence in hardware, software, media, and file formats



# CD's and DVD's ARE reliable storage mediums

- True or False?

# CD's and DVD's ARE reliable storage mediums

**FALSE**

- True or False?

They last 3-7 years, depending on how they are treated

Can be used if:

- The records have a short retention AND
- Loss of the records would pose a low risk for an agency OR
- It holds only an access or reference copy of the records

# Flash drives (aka USB or thumb drives) are a reliable storage medium

- True or False?

# Flash drives (aka USB or thumb drives) are a reliable storage medium

- True or False?

**FALSE**

- They last 5-8 years, depending on how they are treated
- Can be used if:
  - The records have a short retention AND
  - Loss of the records would pose a low risk for an agency OR
  - It holds only an access or reference copy of the records

# Hard drives are a reliable storage medium

- True or False?



# Hard drives are a reliable storage medium

- True or False?

**FALSE**

- They last 1-8 years (5% die by year 1, 20% die by year 4)
- Can be used for an access or reference copy of the records
- Convenient way to transfer records

# Microfilm is a reliable storage medium

- True or False?

# Microfilm is a reliable storage medium

**TRUE**

- Master microfilm lasts 500 years (diaz film does not)
- Ideal for preservation copy of permanent records (i.e. record copy)
- Inconvenient for access copies
- Digital files or paper can be converted to microfilm
- Microfilm can be converted to digital files

# A Network server is a reliable storage medium

- True or False?

# A Network server is a reliable storage medium

• True or False?

**TRUE/FALSE**

- Depends on how it is configured and backed up
- Offline Archive Media Trade Study prepared for the U.S. Geological Survey: <http://eros.usgs.gov/government/records/media/2014-Archive-and-Media-Study.pdf>
- Checksums used to verify the integrity (and recorded as metadata)
- Backup copies of essential and historical records: 3 distinct locations



# Cloud storage is a reliable storage medium

- True or False?



# Cloud storage is a reliable storage medium

## TRUE/~~FALSE~~

- True or False

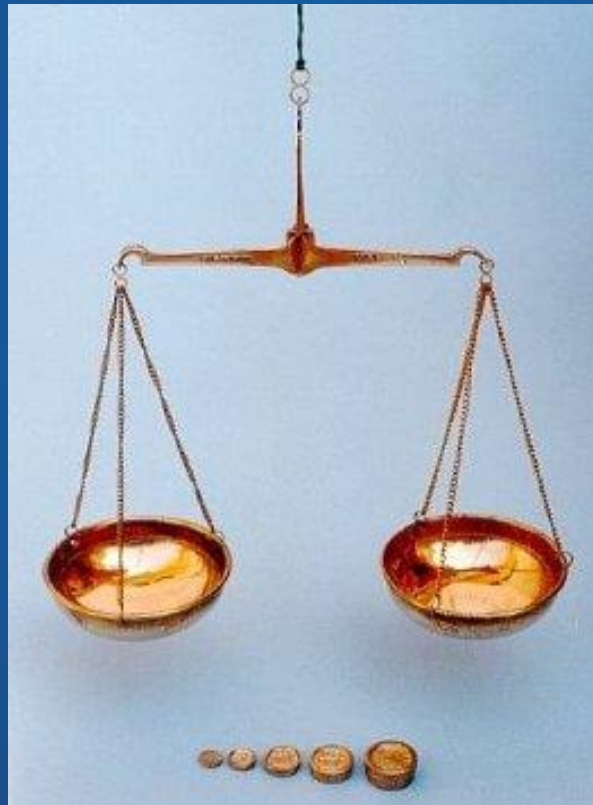


# Cloud storage contract

Ensure contract language with the third-party vendors includes:

- **Protection:** Your data separate & secure from others' data
- Data **security** and auditing of backups, data loss, data migration, integration with existing databases, data corruption, and encryption
- Down time and service restoration (**redundancy**)
- **Getting the data out** if you need to change service providers (proprietary programming codes?)
- Compliance with GRAMA or e-discovery **requests** for the records
- **Records management** requirements for functionality, sustainability
- Integrity: Fees for running the **checksums charged per item?**

Weigh the strengths and weaknesses of each media format and identify which would best suit the record copy and any additional copies of a record that you manage.



# It's cheaper to store records as paper than in my database


- True or False?



# It's cheaper to store records as paper than in my database

• True or False?  
**TRUE**

- If the records were born on paper, not digitally
- The State Archives has a Records Center where you can store your paper records at no charge



# Having a chicken farm shred sensitive records is an appropriate destruction plan

True or False?

# Having a chicken farm shred sensitive records is an appropriate destruction plan

True or False?

**FALSE**



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## **Long-Term Care Home Hired Chicken Farm to Shred Sensitive Records**

Sep 23, 2015

A Canadian long-term care company is in hot water over its plan to let a chicken farm shred sensitive health documents.

A chicken farm should not be used to dispose of sensitive health documents, said Ron Kruzeniski, Saskatchewan's privacy and information commissioner, as he announced he was cancelling the agreement, according to media sources.

CBC News reported that the privacy office had been investigating Spruce Manor Special Care Home in Dalmeny after some of the residents' health cards ended up in a recycling bin.

The investigation revealed that the home had signed a contract with an undisclosed chicken farm to destroy its confidential records. In the agreement, the farm said it would "agree to accept full responsibility to maintain the security and confidentiality of all documents" received from Spruce Manor Special Care Home, CBC News said.

That's "unacceptable," Kruzeniski said in his report. He noted that the agreement does not specify how the chicken farm planned to "maintain the security and confidentiality" of the personal health information it received.

"I recommend that Spruce Manor Special Care Home no longer use [a] chicken farm to destroy records in spite of the former administrator asserting he had no problems/concerns with the use of the chicken farm," Kruzeniski said in the report.

# Having a chicken farm shred sensitive records is an appropriate destruction plan

**FALSE**

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Some of the residents' health cards ended up in a recycling bin.

<http://www.arma.org/r1/news/newswire/2015/09/23/long-term-care-home-hired-chicken-farm-to-shred-sensitive-records>



# Appropriate Destruction of Records

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- Shredding or burning by a reputable company
- So information CANNOT be pieced back together or recovered
- If your records are stored at the State Records Center when their retention is met, the records will be destroyed at no cost to you
  - After the owning agency has given permission by signing the destruction notice
- All copies of a record should be destroyed with the record copy
- Document the disposal of records in a destruction log

# The state archives wants to know if your agency decides to go paperless

True or False?



# The state archives wants to know if your agency decides to go paperless

True or False?  
**TRUE**





# Contact your records analyst with updates



\*801-531-3863 \*recordsmanagement@utah.gov

# Contact your records analyst with updates

Renée Wilson – 801-531-3842, [reneewilson@utah.gov](mailto:reneewilson@utah.gov)

- State agencies (with a few exceptions)

Lorianne Ouderkirk – 801-531-3860, [louderkirk@utah.gov](mailto:louderkirk@utah.gov)

- Local agencies, law enforcement, Dept of Health

Rebekkah Shaw – 801-531-3851, [rshaw@utah.gov](mailto:rshaw@utah.gov)

- Education agencies (school districts, charter schools, colleges, etc.)
- General retention schedules

Kendra Yates – 801-531-3866, [kendrayates@utah.gov](mailto:kendrayates@utah.gov)

- Elected state agencies, courts, legislature



# In conclusion...

- "Can we destroy the paper original of a record after scanning?"
- "Yes, **but**...." And the longer the retention period of that record is, the louder that **but** gets
- It is perfectly acceptable to keep a scanned document in lieu of its original; the scanned document just needs to be designated the record copy and be retained and accessible for the **full retention period**
- Which is not as easy as it sounds.

# Questions?



# References

Government Records Access and Management Act, Utah Code Ann. §§ 63G-2-103 (Supp. 2014). Accessed February 18, 2015.  
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# Join us next week for...



***GRAMA Legislative Updates*** by **Rosemary Cundiff**,  
Government Records Ombudsman

**Wednesday, April 12, noon**

Rosemary will cover the 2017 legislative updates that affect the Government Records Access and Management Act (GRAMA).

This is a live webinar. Use this link to join the event, <https://utahstatearchives.adobeconnect.com/webinar>.

The complete schedule for our webinar series can be viewed on our blog at [recordskeepers.blog](http://recordskeepers.blog).